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TO 13677#415145130# P.01

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**FAX MESSAGE**

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**COMMENTS**

Re: U.S. Patent Application No. 09/891,471  
Inventors: Masakazu OGASAWARA, et al.  
Confirmation No.: 1389  
Group Art Unit: 2653  
Examiner A. Psitos  
Attorney's Docket No.: 041514-5130

Attached please find a copy of the stamped postcard receipt stamped and dated June 28, 2004, a copy of the Amendment Transmittal Form filed June 28, 2004, and a copy of the Amendment filed June 28, 2004 for the above-identified application. This June 28, 2004 Amendment was filed in response to the latest Office Action dated January 30, 2004 (Paper No. 17).

As of today, PAIR still indicates the status for this application as "non final action mailed." In addition, the Examiner has not considered the June 28, 2004 Amendment or sent any office communication since the January 30, 2004 Office Action.

Please enter the June 28, 2004 Amendment and consider the June 28, 2004 Amendment.

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**PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:**

In re application of: **Masakazu OGASAWARA et al.** Confirmation No.: 1389

Application No.: 09/891,471

Group Art Unit: 2653

Filed: June 27, 2001

Examiner: A. Psitos

**For: PICKUP DEVICE FOR RECORDING OR REPRODUCING  
INFORMATION TO AND FROM A MULTI-LAYERED RECORDING  
MEDIUM HAVING A PHOTODETECTOR WITH A NORMALIZED  
DETECTOR SIZE (AS AMENDED)**

1. Amendment Transmittal Form
2. Amendment

The Commissioner is hereby authorized to charge Deposit Account 50-0310 in  
the amount of \$420.00 (the two-month extension of time fee).

Dated: June 28, 2004

Attorney Docket No.: 041514-5130

VDH/efc



**DOCKETED**  
By KB Date 6-29-04

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PATENT

ATTORNEY DOCKET NO.: 041514-5130

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Masakazu OGASAWARA et al.

Application No.: 09/891,471

Filed: June 27, 2001

For: PICKUP DEVICE FOR RECORDING OR  
REPRODUCING INFORMATION TO  
AND FROM A MULTI-LAYERED  
RECORDING MEDIUM HAVING A  
PHOTODETECTOR WITH A  
NORMALIZED DETECTOR SIZE  
(AS AMENDED)

Confirmation No. 1389

Group Art Unit: 2653

Examiner: A. Psitos

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment responding to the Office Action dated January 30, 2004 (Paper No. 17).
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)  
☐ Information Disclosure Statement  
☐ Form PTO-1449, \_\_\_\_\_ references included  
☐ Citations  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing", computer readable copy and/or amendment  
pertaining thereto for biotechnology invention containing nucleotide and/or amino  
acid sequence.

ATTORNEY DOCKET NO. : 041514-5130  
 Application No.: 09/891,471  
 Page 2

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$420.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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 Application No.: 09/891,471  
 Page 3

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	3	minus	20	0	x \$18 each=	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$86 each=	+ \$00.00
[ ] First presentation of Multiple dependent claim(s)					\$290.00	+ \$00.00
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$00.00
TOTAL FEE =						\$00.00

6. Fee Payment


- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$420.00 for the two-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 28, 2004

By:

  
 Victoria D. Hao  
 Reg. No. 47,630

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NOV 29 2004

PATENT

Attorney Docket No. 041514-5130

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masakazu OGASAWARA et al.

Application No.: 09/891,471

Filed: June 27, 2001

For: PICKUP DEVICE FOR RECORDING OR  
REPRODUCING INFORMATION TO  
AND FROM A MULTI-LAYERED  
RECORDING MEDIUM HAVING A  
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NORMALIZED DETECTOR SIZE  
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Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.

Customer Window

Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

AMENDMENT

In response to the Office Action dated January 30, 2004 (Paper No. 17), the period for response to which extends through June 30, 2004 by the concurrent filing of a request for two-month extension of time and corresponding fee payment, please amend the above-identified application as follows: